

IN THE UNITED STATES DISTRICT COURT FOR  
THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,  
*ex rel.* SARAH BEHNKE,

Plaintiff-Relator,

v.

CVS CAREMARK  
CORPORATION, *et al.*,

Defendants.

Civil Action No. 2:14-cv-00824 MSG

JOINT STIPULATION AND ~~PROPOSED~~ ORDER

Relator Sarah Behnke (“Relator”), by and through her undersigned attorneys, and CVS Caremark Corp., Caremark Rx, L.L.C. (f/k/a Caremark Rx, Inc.)<sup>1</sup>, CaremarkPCS Health, L.L.C., and Silverscript Insurance Company (“Defendants”), by and through their undersigned attorneys, hereby stipulate and agree as follows:

1. Relator has notified Defendants that she is not pursuing claims under the Anti-Kickback Statute (“AKS”), as pled in Paragraphs 166–67 of the Complaint (Dkt. # 1), intends to seek dismissal of the claims under the AKS without prejudice, and intends to seek written consent to the dismissal thereof from the Attorney General.

2. Defendants’ time to answer or move to dismiss the Complaint shall be extended by three days from July 31, 2018 to August 3, 2018.

WHEREFORE, the parties respectfully request that the Court endorse and enter this Joint Stipulation.

<sup>1</sup> The Complaint names this party as CVS Caremark Rx, L.L.C. (f/k/a Caremark Rx, Inc.)

Dated: July 31, 2018

Respectfully submitted,

BERGER & MONTAGUE, P.C.

WILLIAMS & CONNOLLY LLP

/s/ Susan Schneider Thomas

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*Counsel for Defendants*

SO ORDERED.

Date: August 7, 2018

  
UNITED STATES DISTRICT JUDGE